IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21192 of 1998

Between:

1 Shaik Nazeer, S/o. Shaik Lal Mohammed,
R/o. Karimnagar, Near Bus Stand,
Karimnagar District.
2 M.Rajender Kumar, S/o. M.Narasimha,
R/o. 15-9-295, Feelkhana,
Hyderabad.
3 Mahamooda Begum, W/o. Abdul Gaffer,
R/o. Mancherial, Adilabad District.
4 Mohd. Moiz, S/o. Mohd. Yousuf,
R/o. 11-5-416, Red Hills ,
Hyderabad.
5 Moulana Sahed, S/o. Madina Saheb,
R/o. 16-9-659/6, Malakpet,
Hyderabad.
6 Md.Ghouse Mohiuddin, S/o. Mohd. Osman,
R/o. 4-29/B/4, Shavali,
Hyderabad.
7 G.Sattaiah, S/o. G.Chandraiah,
R/o. 23-1-643, Moghulpura,
Hyderabad.
8 M.Dasarath, S/o. Lingamaiah,
R/o. 16-2-805, Sankeswara BAzar,
Hyderabad.
9 G.Satyanarayana, S/o. G.Dayanand,
R/o. 17-9-245, Upperguda,
Hyderabad.
10 N.Ramulu, S/o. Laxminarayana,
R/o. 1-3-901, Kavadiguda,
Secunderabad.
11 Smt. Mahamooda Begum, S/o. Jahangir Khan,
R/o. 11-3-830, Mallepally,
Hyderabad.

..... PETITIONERS

AND

1 The Regional Transport Authority,
Karimnagar.
2 The Regional Transport Authority,
Mncherial, Adilabad District.
3 The Regional Transport Authority,
Central Zone, Hyderabad.
4 The Regional Transport Authority,
West Zone, Hyderabad.
5 The Regional Transport Authority,
East Zone, Hyderabad.
6 The Regional Transport Authority,
South Zone, Hyderabad.
7 The Regional Transport Authority,
Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction especially one in the nature of writ of mandamus declaring that the action of the respondents in not permitting the petitioners to carry the gross vehicle weight of 16200 Kgs in their vehicles is illegal arbitrary and further declare that the petitioners are entitled to carry the gross vehicle weight of 16,200 kgs in their vehicles to the said vehicles are entitled to carry the said weight in accordance with section 58(1) of the Motor Vehicles Act and consequently direct the respondent to enter the gross vehicle weight of 16,200 Kgs in the registration certificates of the petitioner vehicle.

Counsel for the Petitioners: MR.C.H.RAVI

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following:

ORDER**:**

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondent-Secretary, Regional Transport Authority, in not permitting the petitioners to carry Gross Vehicle weight of 16,200 kgs as illegal and arbitrary and consequently, to direct the respondents to permit the petitioners to carry the said weight in their goods vehicles.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondents that the subject matter involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the ratio laid down by the Apex Court in the above judgment, this writ petition is also dismissed for similar reasons. No order as to costs.

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08.04.2005

dr/tvk

To

1 The Regional Transport Authority,
Karimnagar.
2 The Regional Transport Authority,
Mncherial, Adilabad District.
3 The Regional Transport Authority,
Central Zone, Hyderabad.
4 The Regional Transport Authority,
West Zone, Hyderabad.
5 The Regional Transport Authority,
East Zone, Hyderabad.
6 The Regional Transport Authority,
South Zone, Hyderabad.
7 The Regional Transport Authority,
Secunderabad.

8 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

9 2 CD copies